

# Kentucky

# Gazette.

TWO DOLLARS AND A HALF]

True to his charge—he comes, the Herald of a noisy world; News from all nations, lamb'ring at his back."

[PER ANNUM, SPECIE, IN ADVANCE]

NEW SERIES—NO. 2.—VOL. 3.

LEXINGTON, KY. FRIDAY EVENING, JANUARY 13, 1823

[Vol. XL.

## Kentucky Legislature.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, DEC. 14.

Mr. Turner submitted the following report.

The committee raised to enquire whether any, and if any what, military preparations have been made to prevent the house of Representatives or any of its committees, or any of the courts of justice, from the discharge of their legitimate functions, have, according to order, made such enquiry and submit for the consideration of the house the following report.

Under an act of assembly of last session of the legislature, purporting to repeal the law organizing the court of appeals, the governor appointed four individuals judges of said court, who assumed the powers of judges, appointed F. P. Blair their clerk, and proceeded to act as a court.

That the judges heretofore in office denied the validity of said law, so far as it went to vacate their office and relied on the provisions of the constitution securing to them their offices until removed by impeachment or address.

The newly organized tribunal contended for the validity of said act, and made an order directing the papers and records of the court to be taken from the clerk of the old court by force, which was accordingly done.

The citizens of the state being greatly divided in opinion on the question of the validity of the said act of assembly, the old court and those who sustained its pretensions determined neither to resist the capture of the papers and records nor to attempt to retake them by force, but to appeal to the good sense of the people for the protection of the constitution and the independence of the supreme judiciary.

An appeal was accordingly made in which appeal the new court and its friends joined.

So far, to the credit of both parties, it appeared this dispute was to be settled by reason and not by force. Each party expressed an entire determination to submit to the decision of the people.

The election resulted in favour of the old court, and for a time delusive hope was entertained that, faithful to the pledge of abiding the decision of the people, the new court and its friends would end the improfitable contest; that we should again be one people, and that in future the wisdom and energies of the state would be directed to the advancement of those great objects of state concern which are occupying the attention of our sister states.

Before the commencement of the present session of the legislature there were some circumstances occurred which diminished the confidence entertained that the contest was at an end—yet all looked forward with anxious care to the message of the governor for information of a conclusive character.

It is true a large portion of the community had ceased to look to that branch of the government, with any confident hope of receiving what we should naturally look for from the father of his people.

The message when it came was a bitter pill to sixty-two hundredths of the people. It proposed a compromise, the terms of which were to yield the great constitutional question which they had settled in favour of the old court, and if this were not done, the reorganizing law and the new court were to be supported, & the old court was threatened to be rejected by fire "through scents yet untried."

A committee was raised in this house to ascertain and report the obstacles in the way of the court of appeals in the discharge of its duties—with powers to send for persons and papers.—That committee reported some of the above facts, upon which report a resolution was passed declaring that the judges in office before the passage of said act of assembly were yet the only constitutional judges, and that they had the power and ought to exercise it of taking their papers from F. P. Blair.

Said judges accordingly entered up an order on the 7th inst, directing their sergeant to take said papers and records and deliver them over to their clerks.

Your committee would state that the foregoing history of the judicial contest was necessary to make the facts enunciated in the order directing their inquiry intelligible, of which they now submit a condensed statement; also, the depositions taken, which are made a part of this report.

It appears to proof that George M. Bibb, Esq., has a law office in the town of Frankfort, in which office there are several rooms. That said office is immediately fronting the chamber heretofore occupied during this session by the H. R. and about one hundred yards distant therefrom. Said Bibb's office is between the room where the old court held its late session and the office of F. P. Blair and about sixty yards distant from the latter! Edward B. Bibb is the son of George M. Bibb, an attorney at law, and commands a company of militia. The company is furnished with muskets from the public arsenal. That Capt. Edward B. Bibb occasionally occupies one of the back rooms in his farther's office, and in which room the aforesaid muskets are kept when not in use by the company.

It also appears that Marcus B. Bibb, a son of the governor is reading law with G. M. Bibb and in part occupies said room where said arms are kept. Mr. Bibb married the daughter and Mr. Blair the stepdaughter of the late Gen. Scott.

The first week in November or the last in October last, Mr. Dallam, a young man who acted as deputy under Mr. Blair as clerk of the court of appeals, went to Capt. Bibb's room where said arms were, in the night, and told Capt. Bibb, Mr. Blair wanted some muskets, and Bibb loaned Dallam 12 or 14 muskets, which he carried to Blair's office, and they are yet there. Bibb did not see Blair that evening, but Blair has since informed him that he wanted said guns to defend his possession of the papers. It appears that the old court sat on Friday before the first Monday in November, and the Legislature commenced its sessions on the first Monday to November. On the 8th inst, and the next day after the old court made the aforesaid order to take the papers, Capt. Bibb loaded eighteen of said muskets with powder and buckshot and screwed on the bayonets. To these facts Capt. Bibb testified himself, but refused to state the objects of this loading and fixing the bayonets on said muskets. It appeared by other testimony, that Capt. Bibb had said that he had loaded said guns to resist the execution of the order of the old court. That said guns were actually fired at the time the H. R. adjourned on the 10th instant, within a short distance of the chamber where said body sat, as the members were passing out of the house.

Young Mr. Desha stated that he was present when the guns were loaded, and he supposed they were loaded for the purpose aforesaid; but he did not hear Capt. Bibb say so. He also stated, he had been spoken to by Mr. Blair to assist him in defending him in the possession of the aforesaid papers, and that he considered himself bound to have done so either against the order of the court or the house of representatives.

The proof shows that divers persons had either been requested to assist Mr. Blair in forcibly retaining the papers or had voluntary agreed to do so.

It appears, that Mr. Blair had informed the Governor he intended to use force in the defense of his possession of said papers.

It appears, that the public records and papers have been for some considerable time past, removed from the office where Mr. Blair formerly kept them and secreted, so that the citizens who have suits in the appellate court cannot see their papers, obtain copies of their title papers, which are on record in said office, or ascertain any fact or facts which their interest may require.

They would here state that they are fully convinced, that Mr. Blair is not the constitutional clerk of the court of appeals. He however claims to be such. The laws and his oath require him to keep his office open, and his records ready to be inspected by any citizen who may require the same.

A large portion of the evidence of the titles to lands are in his possession. There is a daily call for these papers, and for copies by persons from every part of the state, yet in defiance of all law and all right, the originals cannot be seen nor copies obtained.

The foregoing statement of facts cannot but make on the minds of your committee the strongest impression of the awful crisis at which the judicial controversy which agitates the country has arrived.

Heretofore party spirit and unwise legislation have sufficiently blighted the prosperity of the once most prosperous part of creation. Yet in all our struggles and divisions, reason, and not brutal force, was alone appealed to.

Judging from the declaration of his excellency with the popular will, as evinced at the late election, was on that account heard with the greater surprise. Still that his excellency would openly or indirectly attempt to execute his threat, or that he would connive at the fact that others were preparing to shed the blood of his fellow citizens, and that he would use no efforts to prevent it, was not believed.

Nay, your committee must say, that they had fondly cherished a belief that there was no officer, nor pretended officer of this Government, that was ready to light up the torch of civil war and imbrue his hands in the blood of a brother; yet unwilling as they were to believe the fact, they are constrained to report to you, that bold arrangements have been made for these very purposes. Your committee therefore, recommend the following resolution.

*Resolved*, by the H. R. of the Commonwealth of Kentucky, that each and every citizen of this Commonwealth be advised and admonished to abstain from funding and abetting F. P. Blair and his associates in resisting or attempting to resist, the Sergeant of the Court of Appeals, in the execution of the orders or process of said court, and all other attempts to excite commotions in the country, or to disturb the public peace and harmony.

The report and resolution having been read and the question being propounded on the adoption of the resolution, a debate ensued which took a wide range, and became highly animated, and in some instances harsh. Most of the members accustomed to address the house participated. The debate lasted till after candle light.

Mr. Tarlton moved to amend the resolution by adding the following.

*Prayed* however, That no citizen of the Commonwealth either in his official or private capacity shall attempt to rescue the papers now in the hands of F. P. Blair the clerk of the new court of appeals. Rejected 32 to 58.

The question then recurred on the original resolution, which was adopted by the following vote.

YEAS—Mr. Speaker, Messrs. Jas. Allin, Bainbridge, Blackburn, Breckinridge, Brown, Bruce, Bruton, Cosby, Cowan, Cox, Crittenden, Cunningham, Davis, Duke, Dunlap, Evans, Farmer, Ford, Gaines, Gibson, Gordon, Green, Grundy, Harrod, Hanson, Hardin, Harvey, Hutchison, James, Lee, Logan, Marshall, Mays, M'Connel, Morris, Napier, New, Nottall, Owings, Payne, Reed, Skyles, Slaughter, Stephens, Sterrett, Street, Rich'd Taylor, Robt. Taylor, Z. Taylor, Timberlake, Thomasson, Turner, Underwood, Waddle, Walker, Watkins, Wilson, Wiggate, Alex. White, Woodward, and Yantis—64.

NAYS—Messrs. J. J. Allin, Barbee, Cheundon, with, Cumbins, Elliston, Fletcher, Fulton, Haskin, Laekey, Martin, Marpin, M'Claranan, M'Corras, Miller, M'Millan, M'kins, Perrin, Sanders, Spalding, Tarlton, Thomas, Wade, Ward, Wileycox and Sam. White—25.

### REPORT

Made in the House of Representatives, on the 15th December, by Mr. HARDIN, from the joint committee, raised (in pursuance of resolutions voted by Mr. Gaines, and adopted on the 3d) to enquire whether the Court of Appeals had sustained, or had virtually decided against the occupant laws of this state; with the resolutions, which accompanied the Report, and were adopted by the House.

The select committee to which was referred a resolution, directing an inquiry to be made, whether the Court of Appeals, in obedience to the decision of the Supreme Court of the United States, has decided the occupying claimant law null and void, and a violation of the constitution of the United States and the compact made with Virginia, has laid that subject under consideration, and has given to it that attention which the imitators of the subject required, and respectfully report therupon:

That an act was passed by the legislature of this state, on the 27th of February, 1797, entitled an act concerning occupying claimants inland. That the judges composing the Court of Appeals, did, whenever the question came before them, either directly or incidentally, recognize the validity of the act of 1797; the decisions to that point are numerous, and can be found in 1st Bibb, pages 62 and 118; 2d Bibb, 305; 3d Bibb, 108, 298, and 373.

The people of Kentucky, from experience, were satisfied that the occupying claimant law of 1797 fell far short of doing them justice, and afforded a very inadequate remedy for the mischiefs which, from time to time, the occupants had to suffer. Different attempts were made in the legislature to amend the occupant laws, which for several successive years were defeated; but the people persevered in their efforts, and on the 31st of January, 1812 an act was passed, entitled "an act to amend an act, entitled an act concerning occupying claimants of land." When that act passed, great doubts were entertained of its constitutionality; the ablest men in the state were divided in opinion, and the Governor refused to approve and sign it, because he believed the enactment of it was forbidden by the compact between Kentucky and Virginia.

In 1815, spring term, the case of Fowler against Halbert was brought before the Court of Appeals. Judges Boyle, Logan and Owsley, composed the

court. In this case, the constitutionality of the occupant laws was presented for the direct decision of the court. A great diversity of opinion existed amongst the members of the bar, as to what would be the decision—the court met the question full and fair, and decided in favour of the occupants and that the laws were constitutional; which decision is to be found in 4th Bibb, page 52.

The Court of Appeals, consisting of Boyle, Logan and Owsley, part of the time; and of Boyle, Owsley and Rowan, part; and of Boyle, Owsley & Mills, the residue of the time, has given a number of decisions since the case of Fowler and Halbert, in favor of occupants being paid for their improvements, under the occupant laws; which decisions can be found in 4th Bibb, pages 397, 461, and 512; 1st Marshall, pages 42, 187, 187, 364, 388, 246, 381, and 444; 2d Marshall, pages 25 and 485; 3d Marshall, pages 15, 59, 141, 202, 236 and 510; 1st Littell, 272; 2d Littell, 20, 86 and 269; 3d Littell, 447; 4th Littell, 315; 5th Littell, 29; 78, 157, and 305; Littell's selected cases, 278. Monroe's reports, four cases, pages 36, 329, 149, and 264; and at the present term, in the case of Bodley against Gaither. The committee would here remark, that a number of these decisions were given since the decision of the Supreme Court of the United States, of Green and Biddle. This committee is well aware that the joint committee last session, raised for the purpose of inquiring into the conduct of the Judges, has, in strong terms, intimated that the judges had, in effect, decided against the constitutionality of the occupant laws, and that the Governor, in his message at the present session, has intimated the same thing; but the present committee invite the house and the people of Kentucky, to read the decisions here referred to, and decide who is right and who is wrong. The committee does not wish to be understood as casting any reflections upon the joint committee at the last session, or the Governor at the present; one has greatly mistaken the import of the decisions, and the other has been badly advised.

It has been asserted that the Court of Appeals will recognize the appellate jurisdiction of the Supreme Court of the United States, and consequently, that they will be obliged ultimately to submit to the doctrine contained in the case of Green and Biddle. If the Supreme Court has appellate jurisdiction, which is conceding all that is contended for yet the fault would not be in the judges, but the forms of the two governments and their peculiar organization. But the committee has no hesitation in avowing the fact to be, that the Judges, Boyle, Owsley and Mills, have denied the appellate jurisdiction of the Supreme Court in relation to our occupant laws. A reference is here made to their decisions since that time, and particularly the one of Bodley and Gaither. When the grounds are examined upon which the appellate jurisdiction of the Supreme Court is based, it will be found to be, that the compact with Virginia is a contract, and that a violation of contract is prohibited by the constitution of the United States. The doctrine of the Court of Appeals is, that the legal obligation of the contract, is the remedy which is a part thereof; now it's manifest that there is no legal remedy to enforce contract between sovereign powers, and hence it is sometimes called a treaty, and sometimes a compact. The only arbiter between sovereign states is arms, which has never been considered a legal remedy. That this is the doctrine of the Court of Appeals to wit, Boyle, Owsley and Mills, instead of having manifested a spirit of hostility against the occupants, have in the opinion of some over suspicious persons displayed too much of a kindred feeling, and partially towards them.

The Supreme Court of the United States, in the case of Green and Litter, reported in Cranch, and to be found in 2d Bibb, 64, decided, that a defendant in a writ of right, could maintain the action, without ever having had actual possession. After that decision was given, the case of Speed and Burford came on for hearing before the Court of Appeals, in which case the same point was involved.

The court refused to acknowledge the decision of the Supreme Court as authority; and decided that the defendant in a writ of right could not maintain his action, unless he proved he once had actual possession of the land in controversy, which saved to the settlers and occupants their land, in all cases, after twenty years possession. The case is to be found in 3d Bibb, page 57. The Federal Court of Appeals has decided against the constitutionality of the limitation of seven years, to actions for land; but our Court of Appeals, has in the case of Stanger and Kendall, to be found in 1st Marshall, page 376, decided in favour of the law, and that the same was constitutional. Great doubts were at one time entertained what would be the limitation to suits in chancery, upon adverse entries for land; whether it should be twenty or thirty years. The thirty years limitation had most advocates. When the question was brought before the Court of Appeals, in the case of Reed and Gleason, Bullock & Littell's selected cases page 312, the court decided in favour of the limitation of twenty years. The Supreme Court of the United States, in the case of Green and Litter, above referred to, decided that a settler upon land, could not protect his possession, by shewing a better title is a stranger, and that the person who sued him, did not own the land. The Court of Appeals, in the case of Colston and McVay, 1st Marshall, page 250, decided that an occupant could protect himself by shewing a better title in any other person.

The committee has ascertained that the Court of Appeals, has in no one instance, in relation to the land claims of Kentucky, and the various suits which are brought to investigate the same, submitted to the decision of the Supreme Court of the United States, but on the contrary, the Supreme Court has changed her decisions to conform to the opinions of the Court of Appeals, in the following particulars: First, the Supreme Court has conformed to the decision of the Court of Appeals, in relation to the limitation of twenty years, to a suit in chancery, upon adverse entries, in the case of Elmendorf, vs. Taylor and others; and the court has also changed the doctrine laid down in Green and Litter; and in the case of Green and Lancaster, 1st Marshall, page 250, decided that an occupant can set up the out standing title of a stranger.

There is but one case, to wit, the Commonwealth vs. Morrison, decided by the Court of Appeals, which opinion was written by Judge Rowan, in which the appellate jurisdiction of the Supreme Court is acknowledged. In that opinion the court decided that the act of Congress chartering the Bank of the United States, was unconstitutional,

over which opinion, when it declared the act

gross void, the constitution of the United States gave the Supreme Court appellate jurisdiction.

Upon what authority the Governor, in his message said, that the Court of Appeals, composed of Judges Boyle, Owsley, and Mills, was "a gnat always ready to open at the summons of an enemy," this committee is at a loss to conjecture; for surely, such a heavy and grievous charge ought not to be made without some cause, and yet your committee is unable to find any.

The Governor in his message, has said that the new court, "is a tower of strength, to resist the encroachments of the Federal Judiciary." Your committee is unable to find any authority or decision of the new court, that would warrant this assertion.

In the case of Dougherty vs. Triplett, the court has strongly intimated an opinion, that the occupant cannot be paid for improvements made five years before the appointment of commissioners—This decision destroys every beneficial effect of all our occupant laws and does not oppose "a tower of strength" to the doctrine laid down in the case of Green and Biddle. If the committee were to judge from the political life of the Chief Justice of that court, it would be authorized to draw a strong inference, that he was unfriendly to occupants in every point of view. The journals will show that he voted against the seven years limitation act. In 1809 he voted against a bill to amend the occupant laws. In 1820, he voted against another occupant bill. The committee can hardly believe that these votes of Mr. Barry, and the decision in the case of Dougherty and Triplett, above referred to, can be the certain indications given by the new court, to the governor, that that court will be the "tower of strength," and yet the committee can ascertain no other evidences furnished the Governor, to warrant him in making the assertion.

It is with great pain and anguish, that the committee has witnessed for some years past, the encroachments of the Federal Judiciary; and the committee does most solemnly protest against the invasion of that department of the government of the United States, upon the sovereign rights of Kentucky.—The committee denies the constitutional power of the Federal Judges, to make such rules as have been pronounced by that court; and they also deny the constitutional power of the Supreme Court to give a number of decisions lately pronounced by that tribunal, and particularly, the unwarrantable interference of the Supreme Court in the internal policy of Kentucky. But how, and in what manner, the Judges, Boyle, Owsley and Mills, are to be visited, scourged and punished for the sins of the Federal Judiciary, the Governor has not informed the legislature, unless broad and round assertions are taken for facts. Those Judges have neither aided nor abetted the Federal Judiciary, in its decisions and rules, nor have they in any way or shape, recognized their obligatory effect.—The committee submit the following resolutions:

*Resolved*, That the Judges Boyle, Owsley and Mills, have, in the opinion of this house, uniformly sustained the constitutionality of the occupant law, and an assertion to the contrary, is unfounded in fact.

*Resolved*, That Judges Boyle, Owsley and Mills are not accountable, in any way, for the acts of the Federal Judiciary.

### REPORT.

Of the Committee on the part of the Senate to confer in relation to the Court of Appeals.

The committee on the part of the Senate, raised under a joint resolution, to confer with a committee on the part of the House of Representatives in relation to the Court of Appeals, beg leave to report, that they submitted to the committee on the part of the House of Representatives the propositions contained in the papers marked A



**KENTUCKY GAZETTE**  
EDITED BY JOHN BREWER

TERMS  
OF THE KENTUCKY GAZETTE FOR 1826.

For one year in advance, specie, . . . . . 2 5  
six months, do . . . . . 1 10  
Three months, do . . . . . 1 00  
If the money is not paid in advance or within three months after subscription, the price will be one dollar more — No paper will be discountenanced until arrearages are paid, unless at the option of the Editor.

FRIDAY EVENING, JANUARY 13, 1826.

We have this day given the address to the people by the majority of the Senate and minority of the house of Representatives in the last legislature: As this address was not an official act we should not have published it until we had gone through all the official business of that body; but as all the opposition prints are publishing the address of the minority in the Senate and majority of the House of Representatives we deemed it right that the people should have an opportunity of examining both sides of the question, and have therefore given it out of the order we first intended to pursue.

A motion was made in the senate of the United States on the 27th ult by Mr. Johnson of Kentucky for the division of the State into two judicial districts.

TRUSTEES OF LEXINGTON.

On Saturday last the following gentlemen were elected Trustees for the present year viz.

David Megowan,	Wm. Hanson,
George Robinson,	John M. McCalla,
Joseph Logan,	Lester Combs,
James M. Pike,	Charlton Hunt,
Thomas M. Hickey,	Richard Ashton,
Thomas Nelson,	

In the Kentucky *Whig* of the 12th inst.

Messrs: M. Flournoy  
R. J. Breckinridge,  
E. Warfield.

Are invited to become candidates for a seat in the next legislature, by a writer who signs himself.—

MANY VOTERS.

FOR THE GAZETTE.

COUNTY COURT OF FAYETTE.  
On Monday last, the County Court above named were called on to express their opinion on the great question which divides this Commonwealth. Daniel Mc. Payne Esq. had obtained a judgment in this court, on which an appeal had been taken. He obtained an order of dismissal of the appeal from the New Court of Appeals, on which he moved the county court for an execution on the original judgment. This was opposed by Mr. Wickliffe on the ground that the new court of appeals so called, was in reality no court, and their order of dismissal of no effect. He was opposed by Mr. Payne and Col. Hickey, when after a pretty full discussion, it was decided as the opinion of the court, that the order emanated from a constitutional tribunal, and was therefore binding. The only negative vote was Matthews' Flournoy Esq. Thus even in the native dominions of Mr. Wickliffe his opinions and authority are disregarded some times, by the judges of our County court, as well as by many others of the independent citizens of this country.

SPECTATOR.

MARRIED.  
In Lexington on the 11th inst, by the Rev. N. Hall,  
Sir LUTHER STODDARD, to Miss ANN SKELTON.  
On Wednesday evening last by the Rev. Dr. Fishback, Mr. JUSTUS MILFORD, to Miss ELIZA YOUNG.

DIED  
In Shelby County on the 6th inst JOHN LOGAN  
Esq

STEAM FOUNDRY.  
THE subscriber respectfully informs the public that "THE LEXINGTON STEAM FOUNDRY" is now in operation at his old stand back of the Wool Carding Factory in Water-Street opposite the lower Market where all kinds of CASTINGS in IRON or BRASS will be executed on the shortest notice. WOOL CARDING MACHINES complete made of the most approved patterns.

BELLS cast to all sizes.

He will also furnish the WROUGHT IRON WORK and CASTINGS in sets for a chandelier or any part of a CAST for old COPPER, BRASS, IRON & PEWTER.

David A. Sayre.

Lexington January 12, 1826—2-4.

Mr. Edmund B. Pierson.

TAKE notice I shall attend at the office of Charles T. Humphreys in the town of Lexington on the 13th and 14th days of February 1826 to take the depositions of sundry witnesses to be read in evidence in a suit in Chancery depending in the Fayette Circuit Court where I am complainant and you and others are defendants.

JANUARY 12, 1826—2-3.

TAKEN UP

By Thomas Steele near Shannon's meeting house one small Bay Mare,

six years old, fourteen hands high, a small star, left eye out, appraised to thirty dollars before me.

THOMAS STEVENSON J. P. W. C.

Oct 17th 1825—2-3.

TOWN OFFICERS.

THE Board of Trustees of Lexington will proceed on Thursday the 19th inst to elect Watchmen Collector, Treasurer, Clerks of Markets &c. Candidates will please leave their names with the Clerk of the Board. By order,

JOSEPH TOWLER Clk. B. T.

Lex January 11, 1826—2-4.

For Sale or Rent.

A SMALL two story House on Mulberry street please situate, there are a parlor, Kitchen and pantry, on the lower story, and three bed rooms on the Second Story, with convenient Cellars and Smoke house &c. also a good Garden enclosure of

WILLIAM MACBEAN.

January 5 1826—1-4.



YOUNG EAGLE  
ESTABLISHED in the evening season commencing  
4th of March at the Farm of Mr. S. M. Moore  
on the Strade's road leading from Lexington to  
Winchester, and five miles from the former; for pur-  
ticulars see bills.

PAINTER DUDLY.

THE celebrated Jack  
SANCHEZ,  
kept formerly by Mr. Joseph  
Graves will likewise stand at  
the same place.

P. D.  
January 6th 1826—2-4.

NOTICE.

WHEREAS my wife Sarah left my bed and board  
without any just cause or provocation, I therefore  
forward any just cause for recovering her owing ac-  
count, as I am determined not to pay any of his of her  
contracting.

ZAGH GANNA

Jan. 6. 1826—1-3.

NOTICE.

TAKEN out of the possession of a negro man  
in Lexington the following articles supposed  
to be stolen viz. a Coat, a pair of Pantaloons three  
shirts and a pair of socks, they appear to belong to  
a small man or lad, the owner can get them by ap-  
plying to the subscriber and paying for this adver-  
tisement.

JOHN NORWOOD.

Lexington Jan. 5 1826—1-3.

STRAYED OR STOLEN,

A BROWN HORSE, about six  
years old, fifteen hands high, star  
in the forehead, walks paces and  
trots well; had on a Snaffle Bridle,  
and one of Mixer's Spring Saddles half worn, with  
Plated Stirrups, and blue Saddle Cloths. He broke  
loose or was taken from the post to which he was tied,  
before Capt. Fowler's door, about dark on the  
28th of December. It is liberty will probably  
make towards Frankfort. I will reward any one  
liberally that shall take him up and return him to  
me in this place, or secure him so that I can  
get him.

W. T. BARRY.

Lexington, January 2, 1826—1-1.

LOOK AT THIS!!!

AS the subscriber is determined to collect all  
his debts, that can be recovered by law, before  
he brings out any more goods, he requests all  
those indebted to him to call very shortly and pay  
them off, which will save expenses, and greatly ac-  
commodate both the debtor and creditor. In the  
mean time, the undersigned will sell the goods on  
hand very low, by wholesale or retail, for CASH.

ALEX. PARKER.

Jan. 6, 1826—1-4.

PUBLIC SALE.

W.H.L. to be sold, on Friday the 13th inst. at Miss  
Nancy Barr's farm, the former residence  
of Robert Barr, dec'd., one and a half miles from  
Lexington, two hundred head of stock Hogs, five  
first rate milk Cows, all giving milk at this time;  
six head of horses; one Waggon, and a Cart; one  
Carriage, and a neat fan by Dearborne, fitted for  
one horse; twenty Geese, from eighty to one hundred  
barrels of sound Corn in ear; a few articles  
of Household and Kitchen Furniture; together with  
a large variety of Farming Utensils. Terms CASH.

JESSE HAMILTON.

Jan. 6th 1825—1-2.

GEORGE W. ANDERSON,  
AUCTIONEER & COMMISSION MERCHANT,  
LEXINGTON, KENTUCKY.

BUSINESS entrusted to him will be thankfully  
received and punctually attended to. A  
general assortment of

GROCERIES,

Of the best Quality, for Wholesale or Retail, will  
constantly be kept on hand, at the Stone House,  
corner of Cheapside, formerly occupied by Thomas  
as Anderson.

Lexington, January 6, 1826—1-1.

Ohio Cheese and Flour,

50 BBL'S best OHIO FLOUR,  
30 Cabs Western Reserve CHEESE of  
superior quality, just received and for sale at the  
Store of.

G. W. ANDERSON.

January 6, 1826—1-1.

A LIST OF LETTERS

Remaining in the Post Office, at Lexington, Ky.  
on Dec. 31, 1825; which if not taken out before the  
first day of April, 1826, will be sent to the General  
Post Office as dead letters.

A

Allen, John  
Allen, Martha W. Miss  
Anderson, Wm M  
Allender, Edward  
Anderson, Wm  
Aylette, Mrs Martha  
Baers, Rev Peter

Barker, Elizabeth  
Barr, Robert R  
Brugens, Eliza  
Bartlett, Vincent  
Brenagh, Capt G  
Berry, Capt Thos  
Bonning, Perkins  
Berry, Richard

Cassell, Henry  
Clarke, Michael  
Clark, James S  
Carey, Lindwell  
Craith, Rev Jacob—2  
Casy, Catharine  
Caldwell, Wm S  
Carter, Mary R  
Clark, Mrs Frances  
Chandler, Henry  
Challen, Wm Jr  
Clark, Wm  
Collis, Francis  
Carter, Sarah  
Cratford, Anderson  
Clark, John  
Calvert, Samuel

D

Daynes, Jas E  
Drake, Edmund  
Duke, Miss Lucy  
Dunlap, George  
Dunster, Jennett Miss

E

Elder, James  
Fawng, Phil  
Flournoy, Eliza R  
Fawcette, John  
Fry, Mrs Rachel—2  
Fitch, Abel—2

G

Graves, James—2  
Graves, Thos C  
Goss, Joseph  
Gamble, John II  
Glass, Mrs Sarah  
Givens, Thos J  
Gregg, Samuel  
Grege, Darius

H

Harrison, Ann  
Halley, Hillary II  
Harris, Mrs E  
Harley, Wm  
Hardin, G. W  
Heggins, Saml  
Holland, James—2

I

Hardy, Edmund  
Hawkins, Martin  
Haworth, James  
Hicks, G. L  
Hickey, Sarah  
Holland, George  
Hart, Thos P  
Hawkins, Walker  
Harris, C. W  
Hancock, Dr J. O  
Hanley, Mr  
Hayne, Isaac W

J

Jenkins, Hamilton  
Jones, John II  
Jackson, Juliet  
Jessee, David  
Irvine, James  
Johnson, Edward  
Irwin, John

K

Keach, Hiram  
Knuckles, Mr

L

Lake, Richard  
Lay, Abraham  
Lewis, Catharine  
Leon, Elijah  
Little, Hugh  
Longley, Rev John

M

Manner, Samuel  
May, Alfred  
Mahan, Alexander  
Mathes, Dr A. K  
Milford & Baxter  
Minster, James  
Milton, Elijah—2

N

Nelson, James  
Nichols, J. F  
Newton, Mr

O

Overly, Thos W

P

Payne, Col H C—2

Payne, D. M

Payne, Edward

Pattick, T. W

Pattick, Robert

Pavton, Jacob

Pattison, Leonard—2

Pattick, Isaac

Price, B.

Poor, Zachariah

R

Railey, Isham  
Rattray, Dr G. T

Rawlings, Dr James

Reid, Brook, N

Reid, John

Reid, John

Ridgeway, C. S

Rod, Wm—2

Ryan, E. G

Richards, Henry

Ridgway, Solomon

Ridgway, James

Ridgway, John



## POET'S CORNER.

FOR THE GAZETTE.

**THE CALICO CAP.**  
The Goddess of fashion's be graces convened  
On business of consequence great;  
The dress of her daughters she wished to adorn  
By consent of her council of state.  
Those counsellors grave, held earnest debate  
On the ways and the means to entrap,  
The Goddess approved of the choice they made  
Of the Lafayette calico cap.

The veil, it was urged, the fair features obscured  
From the sight of admirers and beaux,  
Impatiently, too, had the lovers endured  
The veiling of beauty so close.  
The veil was dispeared by solemn decree,  
But the corset still adds to the shape,  
And beauty resplendent appears to the view,  
Adorned with a calico cap.

Behold, now, the ladies of every age,  
With those new fashion'd caps on their heads;  
The widows admire them, and matrons so sage,  
And lovely and beautiful maid.—  
The witty, the pretty, the needly and wise,  
And the rich rear'd in luxury's lap;  
The gay, and the cheerful, each class & each size  
Wear the neat little calico cap.

So exquisitely lovely, the girls were before,  
They needed no aid from the graces;  
Now lovers, poor lovers, their rates may deplore  
So transcendently fair are their faces.  
The Goddess of fashion her mandate should add,  
(Those lovers to guard 'gainst mishap.)  
That no beautiful damsel or false-hearted maid  
Should wear the neat little calico cap.

## La MOTTS COUGH DROPS.

*Important Medicine for Coughs and Consumption.*

**T**HIS Elixir is not offered to the public as infallible, and a balm to all others, but as possessing virtues peculiarly adapted to the present prevailing disorders of the breast and lungs, leading to consumption. A timely use of these drops may be considered a certain cure in most cases of

*Common Colds, Coughs, Influenza,*

*Whooping Cough, Pain in the Side, Difficulty of Breathing, Want of Strength,*

*of Spasmodic Asthma it is arising from debility; and in Spasmodic Asthma it is singularly efficacious. A particular attention to the directions accompanying each bottle is necessary.*

The following certificates from respectable gentlemen, physicians and surgeons, are sufficient to show that this composition is one which enlightened men are disposed to regard as efficacious and worthy of public patronage.

Having examined the composition of Mr. Crosby's improvement upon

**La Mott's Cough Drops.**

We have no hesitation in recommending them to the public, as being well adapted to those cases of disease for which he recommends it.

Doct's. Jonathan Dorr, dated Albany, Dec. 4, 1824; James Post, of White-Creek, February, 14th, 1825; Watson Sumner and John Webb, M. D. of Cambridge, Feb. 20th, 1825; Solomon Dean, of Jackson, Jan. 20th, 1825.

**M**r. A. Crosby—I am pleased with this opportunity of relating a few facts, which may serve in commendation of your excellent Cough Drops. For ten years I was afflicted with a pulmonary complaint; my cough was severe my appetite weak and my strength failing. I used many popular medicines, but only found temporary relief, until by a continued use of your valuable drops, I have been blessed with such perfect health as to render further means unnecessary.

Rev. EBENEZER HARRIS.

Salem [N. Y.] January 12th, 1825.  
Prepared by A. CROSBY, sole proprietor, Cambridge, (N. Y.) whose signature will be affixed in his own hand writing to each bill of directions. Be particular that each bottle is enveloped in a stero or check label, which is struck on the same hill with the directions.

Sold wholesale and retail, by Dr. G. DAWSON Pittsburgh—J. CRAMBECKER, Wheeling—P. M. WEDDELD, Druggist, Cleveland—PRYT & MEACH, Druggists Buffalo—O & S. CROSBY, Druggists Columbus—GOODWIN, ASHTON & Co., M. WOLF & Co., A. FAIRCHILD, Druggists Cincinnati—BYERS and BUTLER, D. WILSON, Druggists Louisville,—and retail by J. D. THOMAS, Winchester Ky and at the

**Drug Store of James Graves,**

Lexington, Ky.  
Each bottle contains 45 doses; Price One Dollar single; nine Dollars per doz.  
May 25th 1825.—1 year.

**Washington Hall.**  
**ASA WILGUS,**  
HAS removed from his old stand in Russellville, to the well known and large commodious buildings where Amos Edwards formerly kept a Public House in said town, where he will keep a public house for the entertainment of those who choose to call on him, on the most moderate terms. His Table, Barr, and Stable, shall be well furnished and attended to.  
Nov. 5th, 1825.—50-3m

**RANAWAY.**

FROM—JOHN MARSHAL in Jessamine County the latter part of October 23d, a negro man named

**HARRY,**

He is a tall raw boned man about six feet high, the hair grows quite low on his head road teeth, and the little toe on one of his feet, and probably the right one—has been burnt off when he was a child. He had on when he went off a white linen roundabout under a brown full cloth coat, and pantaloons but no doubt he has now got other clothing, that suits the season better. Any person who will apprehend said negro either in or out of this state and deliver him to the subscriber in Jessamine County or secure him in any jail so that I get him shall be liberally rewarded by ABRAHAM VINCE JOHN MARSHAL

December 2d 1825.—3t\*

**JOB PRINTING**

Of every description neatly executed here

## LAW NOTICE.

JAMES SHANON, Late of Wheeling, Pa

Will practice law in the Circuit and County Court of Fayette, and the Circuit Courts of Beaver and Jefferson. All business entrusted to him will receive prompt attention. His office is on Short Street. Lex. Dec. 29, 1824.—25-tf

## LAW NOTICE.

Robert J. Breckinridge,  
ATTORNEY & COUNSELLER AT LAW;  
WILL ATTEND THE FAYETTE CIRCUIT AND  
COUNTY COURTS  
Lexington, April 6, 1825.—15-tf

## Lexington Brewery.

THE subscribers having rented the above establishment for a term of years, will be ready in a few days to supply this Town and the neighboring Towns with

**Porter, Beer and Ale,**  
of superior quality and at reduced prices; orders from the country directed to the BREWERY through the Post-office will be attended to.

**CASH** paid for Barley on Delivery

—ALSO.

**Fifty cords of good wood wanted**

MONTMOLIN & DONOMOO.

October 20, 1825.—42-tf.

N. B. All letters must be post paid:

## LEXINGTON HOPE FOUNDRY.

Will. H. Dalph

Has commenced the above business in its branch, opposite the upper end of the Upper Market, where he is ready to make all kinds of

**Brass & Iron Castings**

On the shortest notice, and on the most reasonable terms.

**CASH** will be given for OLD COPPER, BRASS, PEWTER, and IRON

Lexington, Oct 14, 1825.—41-tf

## CASTINGS, FOUNDRY, AND

**Grocery Store.**



Joseph Bruen,

MAIN STREET,

Has just received the following GOODS, viz: SHOES FOR CHILDREN, pegged and not pegged;

From Philadelphia, a complete assortment of

**GARDEN SEEDS,**

—ALSO.—

**GROCERIES.**

TEA, RICE, MUSTARD, COFFEE, PEPPER, INDIGO, SUGAR, ALSPICE, STARCH, CHOCOLATE, HONEY, CHEESE, RAISINS, CINNAMON, SOAP, FIGS, SALTS, CANDLES,

Spanish and Common CIGARS, TOBACCO,

Spermatic OIL for LAMPS, London Madeira, in Bottles.

Sherry Wine, Domestic Wine,

Cherry Bounce, two kinds, French Brandy,

RUM, Old Peach Brandy, Old Whisky,

Cordials, in bottles & by the gallon.

WHOLESALE AND RETAIL,

LIQUID BLACKING, In boxes do

RIZOR PASTE.

N. B. For the convenience of many, he keeps Coffee ready roasted (in the Patent Cylinder) also, best Pepper and Spice, ready ground. He hopes that the Coffee thus burnt will prove excellent, and far superior to any other, by those who will try it.

There will be a separate list of his Garden Seeds.

JOSEPH BRUEN.

Lexington, Nov. 28, 1825.—48 tf

## KENTUCKY.

Madison Circuit Set. September Term 1825.

Green Clay Complainant

Against

Lawrence Long's heirs &c. Deft's

In Chancery.

On the motion of the complainant, affidavit being filed by said Complainant as to the unknown heirs of John Long deceased, and it appearing to the satisfaction of the court that the defendants J. Long, Richard Caulk and Sally his wife late Sally Long, Richard Caulk and Nancy his wife late Nancy Long, Gabriel Long, William Long, Nicholas Long and the unknown heirs of John Long deceased, heirs and devisees of Lawrence Long decd. are no inhabitants of this Commonwealth, and they having failed to enter their appearance herein agreeably to law and the rules of this Court—it is ordered that unless said absent defendants do appear here on or before the first day of our next February Chancery Term and file their answers to the complaints filed, that the same will be taken for confessed against them, and it is further ordered that a copy of this order be inserted in some authorized newspaper printed in this state for two months successively, and the cause is continued until the next court.

A Copy Test

DAVID IRVINE CLK. M. C. C.

Sept. 19, 1825.—45-9w

GREENVILLE SPRINGS.

The undersigned has taken the Celebrated Watering Place called THE GREENVILLE SPRINGS, near Horrocksburgh, Ky. and has put them in complete order for the reception of visitors.

The prices of Boarding &c. will be on moderate terms:

## SOAP GREASE AND ASHES.

I WISH to purchase a quantity of SOFT GREASE AND ASHES, for which a fair price will be paid in cash.

SAMUEL COOLIDGE.

Lexington July 27th 1825.—30-tf

## A CARD.

Abram S. & Elijah W. Brake,

TILLORS,

WOULD inform their friends and the public generally, that they have associated themselves together in business, and have made a permanent arrangement with one of the most fashionable and celebrated Shops in Philadelphia, to furnish them with every change of fashions, immediately on their arrival from London. They pledge themselves, with confidence, to all who may please to favor them with their orders, that their work shall be executed in the most neat and tasteful style. They have on hand for Sale a few pieces of

CLOTH & COTTON,

low for Cash, and also a few sets of SPRINGS

for gentlemen's riding Pantaloons, &c. Their Shop

is kept in Main Street, a few doors below Miss Keen's Inn. Ladies and Gentlemen please call and see us.

ELIJAH H. DRAKE,

Has just returned from Philadelphia and New York, where he has spent upwards of twelve months in the best shops in those Cities, for the express purpose of obtaining a perfect knowledge of the most modern and improved modes of CUTTING and MAKING all kinds of garments for gentlemen in his line; and also, LADIES' RIDING Dresses and PELICANS. He has brought with him from Mr. Watson's Shop, Philadelphia, a new Suit, made in the most spruce and fashionable style.

Lexington, July 22, 1825.—29-6m

## MARNIX VIRDEN,

RESPECTFULLY informs his friends in Lexington, as well as visiting strangers, that he has provided himself with

## A COMPLETE HACK.

And strong gentle horses, and is now ready to accommodate such as may please to favor him with their east m. It intends driving, horse, and from more than four years experience in driving in Lexington, feels confident that his character as a safe and careful driver has been so well established, as to insure him a full share of public patronage. His residence is on Mill street, near the Lexington Steam Mill, where those who wish his services will please apply.

Lexington, July 29th, 1825.—30-1f.

## JOURNEYMAN BLACKSMITHS.

I will give liberal wages to a few journeymen, well acquainted with the Blacksmith's business, and who can come well recommended.

JOHN EADS.

Lexington March 24, 1825.—12-tf

## FOR SALE.

A LOT in the town of Lexington, with convenient BIFUR BUILDINGS in a pleasant part of the town, suitable for a private family which can be had on good terms. For further particulars enquire of the Rev. Adam Rankin Lexington, or to the subscriber living on the road near the late residence of Col. Win. Russell.

SAMUEL RANKIN.

Sept. 30, 1825.—39-1f.

## Transylvania University.

### Medical Department.

THE Introductory Lectures will commence on Monday next, in the Chapel of the University, at 12 o'clock, and will be continued throughout the week at the same hour. The friends of Science are respectfully invited.

DR. DUDLEY, on Monday.

DR. CALDWELL, on Tuesday.

DR. DRAKE, on Wednesday.

DR. RICHARDSON, on Thursday.

DR. BLYTHE, on Friday.

DR. SHORT, on Saturday.

DANL. DRAKE, M. D. Dean.

Oct 31, 1825.—44-1f.

## CABINET WAREHOUSE.

THE Subscribers having united in carrying on the Cabinet Business, under the firm of

**WILSON & HENRY,</b**